



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Schmidt-Ullrich and Valerie

Serial No. 09/741,790 Examiner Priebe

Filed 11/17/2000 Art Unit 1632

For "**GENETIC INHIBITION OF EPIDERMAL GROWTH FACTOR RECEPTOR
FUNCTION AND CARCINOMA CELL RADIOSENSITIZATION**"

Assistant Commissioner of Patents
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. § 1.132

Rupert Schmidt-Ullrich declares as follows:

1. I am a co-inventor of United States patent application 09/741,790.
2. I am a co-author of the publication Reardon et al., *Oncogene* (1999) 18, 4756-4766, on which Cyrus Amir is also a co-author.
3. I have reviewed United States patent application 09/741,790, including the claims, and the Reardon et al. publication.
4. Cyrus Amir was noted as an author in the Reardon et al. publication because he worked in our laboratory, but he did not contribute conceptually to (and thus is not an inventor of) the subject matter which is claimed in 09/741,790.
5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application and any patent issuing thereon.

Signed

A handwritten signature in black ink, appearing to read "Rupert Schmidt-Ullrich".

Date

12/2/04

Rupert Schmidt-Ullrich



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△

Kristoffer Valerie declares as follows:

1. I am a co-inventor of United States patent application 09/741,790.
2. I am a co-author of the publication Reardon et al., *Oncogene* (1999) 18, 4756-4766, on which Cyrus amir is also a co-author.
3. I have reviewed United States patent application 09/741,790, including the claims, and the Reardon et al. publication.
4. Cyrus Amir was noted as an author in the Reardon et al. publication because he worked in our laboratory, but he did not contribute conceptually to (and thus is not an inventor of) the subject matter which is claimed in 09/741,790.
5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application and any patent issuing thereon.

Signed Clay Waller

Date 12/14/04

Kristoffer Valerie